

**House File 2051 - Introduced**

HOUSE FILE 2051

BY IVERSON

**A BILL FOR**

1 An Act relating to confinement feeding operations confining  
2 fish, and making penalties applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 459.102, subsection 3, Code 2011, is  
2 amended to read as follows:

3 3. "*Animal*" means ~~a species classified as~~ cattle, swine,  
4 horses, sheep, chickens, ~~or~~ turkeys, or fish.

5 Sec. 2. Section 459.102, subsection 6, Code 2011, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. 1. Fish..... 0.001

8 Sec. 3. NEW SECTION. 459.320 **Exception from regulation —**  
9 **election for confinement feeding operations confining fish.**

10 A person who exclusively confines fish as part of a  
11 confinement feeding operation may elect to comply with the  
12 permitting requirements of section 455B.183 in lieu of the  
13 permitting requirements of this subchapter.

14 EXPLANATION

15 This bill amends the law which provides for the regulation  
16 of animal feeding operations, including confinement feeding  
17 operations, by the department of natural resources (Code  
18 chapter 459), by changing the definition of "animal" to include  
19 fish. Generally, the law provides a number of restrictions  
20 upon owners of animal feeding operations including those  
21 impacting the construction and expansion of structures and  
22 the application of manure. The law also provides a number of  
23 exceptions from those regulations, including for small animal  
24 feeding operations. The bill also adds a new exception, by  
25 providing that a person who exclusively confines fish as part  
26 of a confinement feeding operation may elect to comply with the  
27 state's general permitting requirements pertaining to water  
28 quality (Code section 455B.183) in lieu of the permitting  
29 requirements applicable to animal feeding operations.

30 A person who violates the bill is subject to civil penalties  
31 (Code sections 455B.109, 459.602, and 459.603) amounting to up  
32 to \$10,000 for a single violation.